
OLR Bill Analysis

sHB 6633

AN ACT CONCERNING CAMPAIGN FINANCE LAW AND PRIOR BAD ACTS.

SUMMARY:

This bill prohibits individuals who have been convicted of, or pled guilty or nolo contendere to, certain felonies or state election law criminal offenses from (1) serving as campaign treasurers or deputy treasurers or (2) applying for a grant under the Citizens' Elections Program (CEP). In most cases the prohibition lasts for eight years after the conviction, plea, or sentence completion. The bill establishes similar prohibitions for individuals (or candidate committees, in the case of grant applications) who have unpaid campaign finance civil penalties or forfeitures.

In addition, the bill authorizes the State Elections Enforcement Commission (SEEC), after providing an opportunity for a hearing, to prohibit an individual from serving as a treasurer, deputy treasurer, or solicitor indefinitely when it finds he or she has intentionally violated state campaign finance law. Currently, SEEC may prohibit such an individual from serving in these roles for up to four years.

EFFECTIVE DATE: Upon passage

TREASURER AND CEP CANDIDATE PROHIBITIONS

Existing law requires that campaign treasurers, deputy treasurers, and candidates for public office be state electors. Thus, it prohibits an individual who has been convicted and imprisoned for a felony from serving as a treasurer or deputy, or being a candidate, until his or her electoral privileges are restored (see BACKGROUND).

Treasurers

The bill extends the prohibition on serving as a treasurer or deputy

treasurer to individuals who have:

1. unpaid civil penalties or forfeitures assessed under state campaign finance laws or
2. been convicted of or pled guilty or nolo contendere to a (a) felony involving fraud, forgery, larceny, embezzlement, or bribery or (b) state election law criminal offense (felony or misdemeanor), unless eight years have elapsed since the conviction, plea, or sentence completion, whichever is latest, without a subsequent conviction or plea.

CEP Candidates

The bill prohibits participating CEP candidates from applying for a public financing grant if they have been convicted of, or pled guilty or nolo contendere to:

1. a state election law criminal offense, unless eight years have elapsed since the conviction, plea, or sentence completion, whichever is latest, without a subsequent conviction or plea or
2. for office holders, a felony related to their public office, other than one described above.

CEP GRANT CERTIFICATIONS

By law, participating candidates and their treasurers jointly submit the CEP grant application. The application includes several written certifications that they must initial under penalty of false statement. SEEC may deem an application incomplete if any of the certifications are missing, thus delaying its review and any grant disbursement.

In addition to the certifications required by existing law, the bill requires applications to include certifications that (1) the candidate and his or her treasurer are in compliance with all the above-listed prohibitions and (2) the candidate's committee (current or former) has paid any civil penalties or forfeitures assessed under state campaign finance laws.

BACKGROUND

Electoral Status

An individual forfeits his or her right to be an elector upon conviction of a felony and commitment to any state or federal prison. The right may be restored after the individual has paid all fines and completed any required prison and parole time (CGS §§ 9-46 and -46a).

Related Bill

sSB 1118, favorably reported by the Government Administration and Elections Committee, generally prohibits individuals who have committed similar offenses from becoming election moderators or alternate moderators.

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 14 Nay 0 (03/27/2013)